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8 **UNITED STATES DISTRICT COURT**
9 **NORTHERN DISTRICT OF CALIFORNIA**

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11 JTH TAX, LLC f/k/a JTH TAX, INC. d/b/a
LIBERTY TAX SERVICE,

12 Plaintiffs,

13 vs.

14 ABC TAX AND ACCOUNTING,

15 Defendant.
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EMC
Case No.: 3:23-cv-04115-TSH

[PROPOSED] ORDER

19 **IT IS HEREBY ORDERED**, as follows:

20 Pursuant to Fed. R. Civ. P. 65, an injunction is hereby entered in favor of Plaintiff Liberty
21 and against Defendant ABC Tax based on the allegations contained in the Verified Complaint
22 and based on a joint agreement to resolve the disputes between them, together with their
23 respective officers, agents, servants, employees, and attorneys, and any other persons who are in
24 active concert or participation with Defendant, by agreement, as set forth below:

25 1. ABC Tax agrees to the entry of an injunction against it, together with its officers,
26 agents, servants, employees and any other persons who are in active concert or participation with
27 them, as follows commencing on the Effective Date of the Parties' Settlement Agreement and
28 ending two calendar years thereafter (the "Restriction Period"):

1 a. ABC Tax will not, directly or indirectly, for a fee or charge, prepare or
2 electronically file tax returns, or offer financial products for any of the former
3 Liberty clients listed in Exhibit A of the Settlement Agreement (the “Restricted
4 Liberty Clients”), except that ABC Tax may continue to offer tax services to those
5 individuals listed in Exhibit B of the Settlement Agreement (the “ABC Tax
6 Friends and Family”) during the Restriction Period and beyond;


7 b. ABC Tax will not directly or indirectly solicit or provide any tax services,
8 including preparing and/or filing electronic tax returns or financial products, to
9 any of the Restricted Liberty Clients for the duration of the Restriction Period.
10 This restriction on solicitations does not apply to the 50 ABC Tax Friends and
11 Family specifically identified on Exhibit B of the Parties’ Settlement
12 Agreement; and

13 c. ABC Tax will not use the name of “Liberty” in their business.

14 2. Pursuant to Fed. R. Evid. P 41(a)(1)(A)(ii), Plaintiff and Defendant, by and
15 through their respective counsel, stipulate to the dismissal of all claims in this case with
16 prejudice, with each party to bear its/his own costs and attorneys’ fees.
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IT IS SO ORDERED.

Date: February 14, 2024



United States District Judge ~~Thomas Hixson~~
Edward M. Chen